July 7, 2026

ChemSec feedback on Caracal-58

We would like to provide our feedback on some of the items raised at the last Caracal meeting.

Summary of ChemSec's key points:

1. REACH Restrictions Roadmap – revised Rolling list (AP 8.1)
    - We encourage the COM to include timelines for the next step/process to add clarity to the Rolling list (e.g. the "State of play" description in Table 2 is very vague).
    - There should be a higher ambition and speed in the implementation of the roadmap, notably restricting EDCs and to use GRA restrictions more (details below). We welcome a proposal on the uPFAS restriction soon after ECHA delivers its opinion. This must ensure that PFAS is phased out with clear timelines.
    - Substances should only exceptionally be taken out of the rolling list and not when the assessment has already reached a conclusion to restrict the substance(s).

2. Updates on REACH and Interface with other pieces of legislation (AP 11.1 + AP 4)
    - We question the need for upfront planning and prioritisation in OSOA, given that RMOA is already done at several levels by the Member States. An additional process will add burden rather than reduce it and risk further delaying actions in REACH.
    - Considerations on how to act on identified hazards should remain within the respective pieces of legislation, it should not be excluded upfront through conclusions by the OSOA process.
    - REACH is together with CLP cornerstone regulations for chemicals that guarantee that chemical risks can be prevented and the most harmful substances be phased out.

3. EU Chemical Innovation and Substitution Hubs (AP 11.2)
   The funding of Innovation and Substitution Hubs should be clarified. The work stemming from this initiative should not be linked to REACH or other chemical regulation. The Commissions' idea that regulation will have to wait until the hubs/thematic nodes can tell policymakers what to do is absolutely unacceptable. It is a paradigm shift that would violate the current regulatory system, roles and responsibilities in many ways (details below).

4. Critical Chemicals Alliance (AP 11.2)
   The set up and work of the industry led Critical Chemicals Alliance is flawed and results coming out from it should have no influence or guiding role on chemicals regulation. We call upon the Commission to refrain from referring to this so-called Alliance and its output in any future policy related documents, especially those with legal standing.

1. REACH Restrictions Roadmap - revised Rolling list (AP 8.1)

General on the updated Rolling list

ChemSec welcomes the attempt from the Commission to provide more clarity on what to expect from the roadmap by changing the structure of the Rolling list. We find the new structure logical and therefore also useful for stakeholders wanting to follow these processes.

It is clearly stated in the roadmap that the intention is to **facilitate implementation of broad restrictions of the most harmful substances** (these are substances that should be phased-out[1]) **in a transparent and timely manner**, and to **allow companies to anticipate upcoming restrictions to foster substitution activities**. However, the presentation from the Commission during the Caracal-58 meeting indicated that the Commission sees the roadmap mainly as guidance for prioritizing resources of authorities rather than prioritizing the most urgent and necessary actions to protect human health and the environment. This is, in our view, a too narrow interpretation of the objectives and we recommend that the Commission revisit this.

A worrying element in the Commission's paper for Caracal on the draft revised Rolling list (CA/30/2026) is that it emphasizes the possible adjustment after additional RMOA, indicating that you could take substances out of the roadmap to be addressed by other tools or in other legislation. We understand this can be used in exceptional cases for some substances listed in Annex II (Groups of substances under assessment). However, we firmly believe that **this should not be the case when the assessment has already reached a conclusion to restrict the substance(s)**, for example when there is already a registry of intent. Our view is that, otherwise, this would – part from reducing the protection of citizens and the environment - undermine the process, eliminate the predictability and question the assessments already made by the Member State REACH experts.

When it comes to transparency, the "State of play" description in Table 2 is very vague. E.g. for skin sensitizers (No 9) it only says "First draft under preparation" – it's been 6 years to be precise, which is totally unacceptable. And there are many more examples. ChemSec would encourage the COM to include the timeline for the next step/process as this would add clarity. A roadmap without timelines is not very helpful.

Ambition going forward

ChemSec would also like to address the level of ambition in the REACH Restrictions Roadmap. **We have all been in REACH revision limbo for a long time, but that time is over. Now it's time to act.** The work on restrictions needs to reflect this.

Endocrine disruptor chemicals (EDC) are a major threat to citizens and to society as a whole. Sperm counts are drastically reduced and fertility rates on record low. The Commission needs to deliver a phase out of key EDCs by urgently advancing restrictions, **starting with already well-known groups of EDCs, like for example broad restrictions for bisphenols** and **phthalates**.

Article 68.2 is a simple fast and effective regulatory tool; it should be used more. We recommend that the Commission prioritise updating the **CMRs in textiles restriction** (entry 72, currently in Annex II of the Rolling list) and consider adding a dynamic link to CLP to

[1] Commission Communication on the Chemicals Strategy for Sustainability (COM(2020) 667 final).

avoid future administrative burden for updates. It would also provide a clear signal to companies to start phasing-out substances that may become in scope of the restriction.

Another obvious example is the **childcare articles** where the ongoing CMR restriction should be complemented with a ban on EDCs to avoid loopholes and regrettable substitution. Further information can be found in our reply to the recent public consultation: https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14225-Childcare-articles-restriction-on-substances-classified-as-carcinogenic-mutagenic-or-toxic-for-reproduction-CMR-/F33447806_en.

We also urge the Commission to move swiftly to prohibit **brominated flame retardants**. This is important for the competitiveness of providers of alternative materials and products and would contribute to achieving circular economy.

We welcome the announcement that the Commission will make a proposal very soon for the **universal PFAS restriction,** after receipt of the ECHA opinion. We would like to stress the following:

- The restriction needs to be universal, no sectors or uses should be excluded. A partial ban would not address the enormous pollution problem we are facing.
- Safer alternatives exist for most uses, and more and more are coming to market because of the universal PFAS restriction process. Time-bound phase-out dates for specific uses are key to continue to drive innovation and substitution.
- A partial ban would risk that Member States move ahead on their own, leading to fragmentation of the single market and continued uncertainty for companies.
- PFAS should not be allowed to be reintroduced through recycled material. That would create a huge loophole in the restriction and at the same time undermine the trust in recycled materials which hamper the circular economy ambition.

2. Updates on REACH and Interface with other pieces of legislation (AP 11.1 + AP 4)

Considering the recent statement of Commissioner Roswall in the Environment Council on 25 June, along with the Commission updates on REACH and interface with other pieces of legislation at Caracal-58 – we would like to stress the following:

- REACH is together with CLP cornerstone regulations for chemicals. They should guarantee that chemical risks can be prevented, notably by enabling identification of hazardous substances and phase-out of the most harmful. **By acting upstream on harmful chemicals REACH will enable other legislation and initiatives to achieve their aims**, such as the EU's Circular Economy Action Plan, the upcoming Circular Economy Act, the Ecodesign for Sustainable Products Regulation (ESPR), EU water-related legislation and product-specific legislation. REACH provides clear rules for the single market and predictability and a level playing field for companies. ChemSec welcomes initiatives to strengthen the implementation of REACH and improve certain Annexes by comitology changes. **Our priorities for REACH can be found here** (a joint NGO paper): https://eeb.org/wp-content/uploads/2026/06/CSO-Options_REACH-implementation-enforcement-modernization_June-2026.pdf
- Regarding the interplay between REACH and other pieces of legislation, the Commission mentioned the one substance one assessment (OSOA) as a vehicle to add upfront discussions on planning and prioritisation, which sounds very much like

a new RMOA process. We question the need for this, given that RMOA is already done at several levels by the Member States. An additional process will add burden rather than reduce it and risk further delaying actions in REACH. The main aims of OSOA - to coordinate and streamline chemical hazard assessment across chemicals legislation, to act earlier and more decisively to protect people's health and the environment and to access reliable and common data easier – should be in focus. We believe it is important that the considerations on how to act on the identified hazards remain within the respective pieces of legislation, and that action is not excluded upfront through conclusions by the OSOA process. It was specifically expressed at the start of this process that for example SEA is not included in OSOA[2].

- We heard interventions from industry that they want to take part in such upfront RMOA assessment. We are pleased to note the Commission's clarification that the OSOA expert group will not invite external stakeholders outside relevant MS experts and agencies. This is important as industry presence would in practice silence discussions by Member States Competent Authorities, and thereby a lack of ambition in e.g. REACH. Member States have the right and the responsibility of initiative and that should remain, and this should also be reflected in the OSOA expert group as well as in RIME+. We trust on the Commission to clearly announce if there, in the future, would be any suggestions to change the composition of the groups mentioned above, as this would highly influence the position of the Member States.
- An important aim of REACH is to ensure the phase-out of substances of very high concern, with the authorisation and restriction processes being the tools for this. The Annex XIV listing of SVHCs is lagging behind, and we urge the Commission to move forward with the proposals from the Member States.

3. EU Chemical Innovation and Substitution Hubs (AP 11.2)

We thank the Commission for the updates on the innovation and substitution hubs. However, we are missing a central piece of the puzzle: funding. The vision seems to be to create a new central EU Hub and a network of national/regional hubs, with the support of voluntary experts from independent organisations. Who will pay for this new organisational structure, to make this vision come true? As far as we know, there are only a handful of such centres today, far from covering all Member States. We also heard in the meeting that authorities' resources for work on chemicals are limited and fixed, which makes this whole idea of creating new costly and resource demanding structures quite questionable.

While we see the need for supporting companies and networking (that is what we do every day at ChemSec), we are, based on our long experience in this field, absolutely convinced that successful substitution at scale is dependent on the existence of clear rules with

[2] "The initiative aims to improve the efficiency, effectiveness, coherence and transparency of the delivery of safety assessments of chemicals across legislation. To clarify the scope of the initiative, an assessment in the context of 'one substance, one assessment' initiative includes assessment of hazards and environmental fate, of exposures from uses and of the resulting risks and impacts to humans health and the environment. It does not include other assessments related to chemicals, such as *e.g.* socio-economic consequences of restrictions or assessment of suitability of alternatives." (Commission (2021) General introduction of 'one substance, one assessment', Doc/02/AP.2)

timelines, and anticipation of coming rules. In the meeting, we heard from the Commission that the innovation and substitution hubs will create a paradigm shift in the way regulation will advance. The idea is that regulation will have to wait until the hubs/thematic nodes can tell policymakers what to do. This is absolutely unacceptable! It is a paradigm shift that would violate the current regulatory system in so many ways:

1. Firstly, regulators, thus Governments and public authorities, have the obligation, both legally and morally, to protect its citizens and the environment from chemical pollution. A key instrument is to regulate and to enforce these regulations.
2. Secondly, the industry using the harmful substance is not the one to decide for themselves when a chemical is to be restricted (“self-regulation”). This would indeed be a paradigm shift of EU policy. They have no incentives whatsoever to conclude that their project has succeed and voluntarily ask for regulation. This set up would wipe away any regulatory drive for substitution as well as hamper drive and investments in innovation. This is harmful not only for health and the environment but also for the long-term competitiveness of the EU.
3. Thirdly, this will undermine those innovative companies that are designing toxic-free products right from the start or develops other technical solutions. Market access will be delayed and highly unpredictable. Experience shows that existing industry with high leverage tends to marginalise upcoming solution providers, also in processes similar to the ones presented by the Commission envisioned for the hubs.
4. Fourthly, these collaborative projects can be seriously questioned with a view to competition law, e.g. if the first mover advantage will not be realised for companies that manage to substitute, but regulation is delayed until all companies in the collaboration succeed.

4. Critical Chemicals Alliance (AP 11.2)

ChemSec has, together with a handful of NGOs, joined the Critical Chemicals Alliance initiative together with hundreds of other stakeholders where industry is in overwhelming majority. Our aim was to contribute to a process that would enable EU to support a chemical industry that is adapted to current and future conditions and geopolitical situations. However, this process has not provided that opportunity and the outcomes are looking to be a strong support for already outdated facilities and solutions rather than driving innovation and long-term competitiveness. It is worrying that this industry led process can steer future public support of the very same industry. Even more threatening in the context of REACH and other chemicals legislation is that this process suggests that the outcomes, based on the industry’s own criteria, should influence future policy. We call upon the Commission to refrain from referring to this so-called Alliance and its output in any future policy related documents, especially those with legal standing.

Further information on our views can be found in this joint NGO briefing:

https://eeb.org/wp-content/uploads/2026/06/Briefer_Criticality-Within-Planetary-Boundaries.pdf

Conclusions

Changes of REACH and its implementation, along with other ongoing complimentary policy initiatives, must not equal making it easier to use toxic chemicals. Instead, the Commission should ensure:

- a high level of protection of citizens and nature, a move towards a non-toxic circular economy, and clean waters in the EU
- predictability for companies and avoid fragmentation of the Single market
- a level playing field with regulatory drivers for substitution that support innovative businesses and unlock the market for safer alternatives[3]. This is what would make Europe fit for the future.[4]

[3] ChemSec Reports (2022). Unlock the market: Economic incentives for alternatives to hazardous chemicals.
[4] ChemSec Reports (2024). A Profitable Detox: Why safer chemistry makes financial sense.